APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/523,410	02/03/2005	Shojiro Tanaka	50083-223	6300

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EXAMINER
CHAI, LONGBIT

ART UNIT	PAPER NUMBER
2131	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>27 February 2008</u>.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>9-16</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>9-16</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>03 February 2005</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

        1.☒ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   Currently pending claims are 9 – 16.

Continued Examination Under 37 CFR 1.114

2.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible

for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has

been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37

CFR 1.114. Applicant's submission filed on 2/27/2008 has been entered.

Response to Argument

3.   Applicant's arguments with respect to the subject matter of the instant claims have been

fully considered but are not persuasive.

4.   As per independent claims, Applicant asserts the prior-art does not teach having start

information which is different from the icon mage pixels and it is additional information,

embedded in a plurality of predetermined places uniquely associated with the user within the

icon image, different from the icon image pixels making up the original icon image (Remarks:

Page 8 / 1st Para). Examiner respectfully disagrees because (a) the <u>original icon image</u>, as

recited in the claim, is interpreted as merely the original / initiated icon image information prior to

adding the user identity / password security information into the icon, (b) Duroj teaches the user

can drop and drag an icon / graphics as a user <u>identity and password</u> that matches the <u>icon</u>

<u>pixels</u> stored on the card (i.e. <u>a plurality of predetermined places</u> to meet the claim language) in

order to connect the card to a domain server (i.e. start a communication session) (Duroj:

Column 3 Line 36 – 55) and (c) according to the instant specification, the embedded-information

determining unit determines whether the start information necessary for initiating a log-in

session is embedded in the icon image specified by the image specifying unit. In other words,

the embedded-information determining unit determines whether a user ID and a password the

icon image are embedded in the icon image (SPEC: Para [0068]: i.e. the start information is

indeed a user ID and password information). Therefore, Duroj does teach having start

information which is different from the icon mage pixels and it is additional information,

embedded in a plurality of predetermined places uniquely associated with the user within the

icon image, different from the icon image pixels making up the original icon image and as such

Applicant's arguments are respectfully traversed.

5.   Furthermore, Applicant argues the prior-art requires a plurality of user to use their own

icon images different from other users' and, thus, the plurality of users cannot use the same

icon image (Remarks: Page 8 / Last Para). Examiner respectfully disagrees because,

according to the instant specification, the icon image information is indeed uniquely

corresponding to each of the user when it is determined that the start information (i.e. user

identity / password) is embedded in the icon image (SPEC: Para [0019] Line 13 – 15) and

thereby the instant specification also discloses the plurality of users cannot use the same icon

image and such Applicant's arguments are respectfully traversed.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6.   Claims 9 – 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Duroj (U.S.

Patent 6,804,702).

As per claim 9, 11, 13 and 15, Duroj teaches a session initiating method (Duroj: Column

3 Line 35 – 55), the session initiating method comprising:

specifying an icon image including an original icon image (Duroj: Column 3 Line 36 – 55:

(a) the original icon image, as recited in the claim, is interpreted as merely the original / initiated

icon image information prior to adding the user identity / password security information into the

icon, (b) Duroj teaches the user can drop and drag an icon / graphics as a user identity and

password that matches the icon pixels stored on the card);

determining whether start information necessary for initiating a session for a user is

embedded in a plurality of predetermined places uniquely associated with the user within the

icon image, the start information being additional information different from the icon image pixels

making up the original icon image (Duroj: Column 3 Line 36 – 55: the user can drop and drag an

icon / graphics as a user identity and password that matches the icon pixels stored on the card

(i.e. a plurality of predetermined places to meet the claim language) in order to connect the card

to a domain server (i.e. start a communication session));

extracting the start information from the icon image based on an algorithm that is unique

to the user when it is determined that the start information is embedded in the icon image

(Duroj: Column 3 Line 49 – 55);

setting-up the session (Duroj: Column 3 Line 35 – 40);

inputting, during the setting up, the start information (Duroj: Column 3 Line 36 – 55);

verifying whether the start information input satisfies a condition for initiating the session (Duroj: Column 3 Line 36 – 55); and

controlling the session based on a result of the verifying, wherein,

when it is verified that the start information satisfies the condition, the controlling includes initiating the session (Duroj: Column 3 Line 36 – 55), and

when it is verified that the start information does not satisfy the condition, the controlling includes aborting the session (Duroj: Column 3 Line 36 – 55).

As per claim 10 and 12, Duroj teaches the start information includes an identification and a password of the user (Duroj: Column 3 Line 47).

As per claim 14 and 16, Duroj as modified teaches the user information includes an identification and a password of the user necessary for initiating the session (Duroj: Column 3 Line 35 – 40: user remote log-on to a network to initiate a user log-in session after the start-up authentication with a domain server).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LONGBIT CHAI whose telephone number is (571)272-3788. The examiner can normally be reached on Monday-Friday 9:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you

would like assistance from a USPTO Customer Service Representative or access to the

automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Longbit Chai/

Longbit Chai Ph.D.
Primary Examiner, Art Unit 2131
3/24/2008